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15% by weight of insoluble fiber, [; and] about 0.5% to about 5% by weight of a humectant for reducing brittleness of the matrix; and the dried pet food having a moisture content of less than 10% by weight.

12. (Once Amended) A dried pet food according to claim 8 in the form of a cat kibble which has a length of at least 6 mm, a thickness of at least 6 mm, and in which the minimum distance from a center of gravity of the matrix to a surface of the matrix is about 3 mm.

13. (Once Amended) *KH 12/99* A *AC* dried [pet] cat food kibble comprising a matrix [including] comprising a gelatinized protein source, a gelatinized carbohydrate source, [;]
at least 2% by weight
insoluble fiber, [;] and a humectant in an amount sufficient for reducing brittleness of the matrix, the [matrix] kibble having a moisture content of less than 10% by weight and a length of at least 6 mm, a thickness of at least 6 mm, and in which the minimum distance from a center of gravity of the matrix to a surface of the matrix is about 3 mm.

14. (Once Amended) A dried [pet] cat food kibble according to claim 13 which comprises about 0.5% to about 5% by weight of a humectant.

15. (Once Amended) A dried [pet] cat food kibble according to claim [14] 13 in which the humectant is glycerin.

16. (Once Amended) A dried [pet] cat food kibble according to claim 13 which comprises about 2% to about 15% by weight of insoluble fiber.

17. (Once Amended) A dried [pet] cat food kibble according to claim [16] 13 in which the soluble fiber is a cellulose fiber.

18. (Once Amended) A dried [pet] cat food kibble according to claim 13 which has a density of about 250 kg/m³ to about 320 kg/m³.

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19. (Once Amended) A dried [pet] cat food kibble according to claim 13 into which a probe, having a contact area of about 1 mm² and operated at a speed of about 5 mm/s, penetrates into the matrix for a distance of at least 30% of the thickness of the matrix prior to breaking of the matrix.

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20. (Once Amended) A method of reducing calculus and plaque build up on a pet's teeth, the method comprising administering to the pet a dried pet food [having] comprising at least 2% by weight a gelatinized matrix including a protein source, a carbohydrate source, insoluble fiber, and a humectant, the pet food having a moisture content of less than 10% by weight and reduced brittleness.

Please add newly submitted Claims 21-24 as follows:

21. A dried pet food according to claim 1 which has a moisture content of about 3% to about 7% by weight.

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22. A dried kibble according to claim 8 which has a moisture content of about 3% to about 7% by weight.

23. A dried cat food kibble according to claim 13 which has a moisture content of about 3% to about 7% by weight.

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24. A method of reducing calculus and plaque build up on a cat's teeth, the method comprising administering to the pet a dried kibble which contains an insoluble fiber, has reduced brittleness and has a length of at least about 6 mm, a thickness of at least about 6 mm, and in which the minimum distance from a center of gravity of the matrix to a surface of the matrix is about 3 mm.

REMARKS

This Amendment is submitted in response to the Office Action mailed on May 17, 1999. The Office Action rejects Claims 1-20 under 35 U.S.C. § 112, Claims 1-3, 5-7, 13-15, and 17-20 under 35 U.S.C. § 102, and Claims 4, 8-12, and 16 under 35 U.S.C. § 103. In response, Claims 1, 7, 8, and 12-20 have been amended; Applicants have also added via this Amendment newly submitted Claims 21-24. Applicants respectfully submit that for the reasons set forth below, the rejections have either been overcome in view of the amendments or are improper for the following reasons.

Claims 1-20 stand rejected under 35 U.S.C. § 112 for use of the words including and/or having. The claims have been amended to delete these terms and substitute therefor comprising. Accordingly, Applicants respectfully request that the 35 U.S.C. § 112 rejection be withdrawn.

Claims 1-3, 5-7, 13-15, and 17-20 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,407,661 (*Simone*). Applicants respectfully submit that even prior to the amendment, *Simone* did not anticipate any of the claims of the pending patent